

Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)

Approved for use through xx/xx/200x. OMB 0651-00xx
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

RECEIVED
CENTRAL FAX CENTER

DEC 08 2005

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Docket Number (Optional)

1690

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]

on 12/8/2005

Signature

Typed or printed
name

Jamie Cameron

Application Number

10/047,341

Filed

01/15/2002

First Named Inventor

Carl E. Rogers

Art Unit

2645

Examiner

MD S Elahee

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐

applicant/inventor.

☐

assignee of record of the entire interest.

See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96).☒

attorney or agent of record.

Registration number 44,395

☐

attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34



Signature

Steven L. Webb

Typed or printed name

(303) 938-9999 x 22

Telephone number

12/8/2005

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below.☒

*Total of 1 forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 1690

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**RECEIVED
CENTRAL FAX CENT
DEC 08 2005**

In re application of: Carl E. Rogers

Application No.: 10/047,341

Group No.: 2645

Filed: 1/15/02

Examiner: Elahee, MD S

For: TELECOMMUNICATION NETWORK THAT PROVIDES CALLER-ENTERED
INFORMATION TO A CALL DESTINATION

Mailstop: AF

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Pre-Appeal Brief Request for Review

Introductory Comments

In response to an Office action dated Nov. 4, 2005, please consider the following
remarks.

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

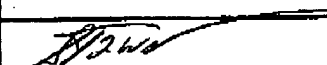
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

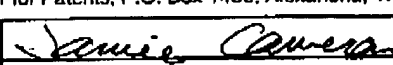
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/047,341	
	Confirmation Number	5083	
	Filing Date	01/15/2002	
	First Named Inventor	Carl E. Rogers	
	Art Unit	2645	
	Examiner Name	MD S Elahee	
Total Number of Pages in This Submission	8	Attorney Docket Number	1690

RECEIVED
CENTRAL FAX CENTER

DEC 08 2005

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Pre-Appeal Brief Request for Review
Remarks It is believed that no additional fees are due in this matter. However, if it is determined that additional fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	Setter Ollila LLC		
Signature			
Printed Name	Steven L. Webb		
Date	12/8/2005	Reg. No.	44,395

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO, fax number (571) 273-8300, addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Signature			
Typed or printed name	Jamie Cameron	Date	12/8/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Remarks

Claims are 1-20 pending, and claims 1-20 stand rejected. The Applicants respectfully traverse the rejection and request allowance of claims 1-20.

Claims 1 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Voit et al. (US 5,696,809) in view of Becker (US 5,680,488). Claim 1 is reproduced below.

1) A method of operating a telecommunication network, the method comprising:
in a switching system, routing a call to a service platform;
in the service platform, transferring a prompt message over the call, collecting caller-entered information from a caller over the call in response to the prompt message, and transferring the caller-entered information to a Service Control Point (SCP) system;
in the SCP system, transferring the caller-entered information to a destination processor, receiving a destination routing code from the destination processor, processing the destination routing code from the destination processor to determine a destination routing instruction, and transferring the destination routing instruction to the switching system; and
in the switching system, routing the call to a destination in response to the destination routing instruction (Underline added).

Claim 1 has a switching system, a service platform, an SCP, and a destination processor. Each device performs certain tasks. The SCP transfers the caller-entered information to the destination processor. The destination processor determines the route for the call and encodes the information into a destination routing code. The SCP receives the destination routing code from the destination processor in response to the user-entered information. The SCP then routes the call based on the destination routing code. Voit does not have a destination processor. The examiner equates the call server 12 in Voit to the destination processor of the current invention (see line 10 on page 2 of the current office action). The call server in Voit does not receive the user-entered information from the SCP and determine a route for the call. The AIN SCP in Voit receives the user-entered information and determines the call routing "With this information, AIN SCP 8 will select the appropriate Business Office to route the call to" (Lines 36 - 38,

column 12). Therefore Voit does not have a destination processor as required by claim 1.

Becker does not transfer user collected information to the destination processor. The examiner cites lines 12 – 29 of column 4 as showing that Becker sends user-collected information to the AIN. Becker does send information about the status of the facilities, and information about the status of resources which may handle the call (lines 20 – 23, column 4). But Becker does not send user-collected information to the AIN.

Becker and Voit, individually or in combination, do not teach having an SCP send user-entered information to a destination processor, receiving the destination routing from the destination processor and then routing the call based on the destination routing. Therefore the examiner has not established a *prima facie* case for obviousness and claim 1 is allowable as written. The arguments for claim 1 apply to claim 11 and claim 11 is therefore also allowable.

Claims 2 – 10 depend on allowable claim 1 and are therefore allowable.

Claims 12 – 20 are dependent on allowable claim 11 and are therefore allowable.

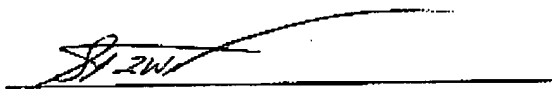
Conclusion

Based on the above remarks, the Applicants submit that claims 1-20 are allowable. There may be additional reasons in support of patentability, but such reasons are omitted in the interests of brevity. The Applicants respectfully request allowance of claims 1-20.

Any fees may be charged to deposit account 21-0765.

Respectfully submitted,

Date: 12/8/05



SIGNATURE OF PRACTITIONER

Steven L. Webb, Reg. No. 44,395

Setter Ollila LLC

Telephone: (303) 938-9999 ext. 22

Facsimile: (303) 938-9995

Correspondence address:

CUSTOMER NO. 28004

Attn: Harley R. Ball
6391 Sprint Parkway
Mailstop: KSOPHT0101-Z2100
Overland Park, KS 66251-2100